

REMARKS

In section 3 of the Office Action, the Examiner rejected claim 5 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement. Claim 5 recites that the method of claim 1 is performed without identifying the content recipient to the content provider. The Examiner apparently is of the opinion that a user cannot visit a web site without the user identifying himself or herself to the web site.

More specifically, the Examiner argues that, according to standard Internet Protocol, any Internet transmission includes both source and destination addresses and that, therefore, the user is thereby identified to a web site whenever the user accesses the web site.

However, the source address is a routing address that does not identify the user to the destination web site. These routing addresses support the portal discussed in the previous response. Unlike an e-mail address, these routing addresses do not permit the web site to identify the user so that the web site can in the future initiate a contact to the user.

Accordingly, claim 5 meets the written description requirement of 35 U.S.C. §112, first paragraph.

In sections 5-11 of the Office Action, the Examiner rejected claims 1-8, 10-13, 18-22, 30-34, and 37 under 35 U.S.C. §102(b) as being anticipated by the Mano patent.

The Mano patent discloses a television 10 coupled by a cable 12 to a computer 14. The computer 14 is coupled to a telephone line 18, and the television is coupled to a set top box 22. The set top box 22 is coupled to a telephone line 24.

According to the Mano patent, a user programs the computer 14 with addresses of web pages to be automatically downloaded by the computer 14. In response to one of these addresses, the computer 14 accesses the corresponding web page and downloads the web page at specified intervals.

Upon downloading of the web page is downloaded, the web page is stored in the memory of the computer 14. The user can then access that downloaded web page from the memory. If there are any links in the web page which are interesting to the user, the user can then instruct the computer 14 to connect to the Internet and access the

actual web page. Once connected to the actual web page, the user has the ability to automatically jump to any links included within the actual web page.

Independent claim 1 is directed to a method in which first program code is executed at the content recipient so as to identify a content provider having posted content of interest to the content recipient, second program code is executed at the content recipient so as to automatically initiate a request for the posted content, third program code is executed at the content recipient so as to receive the posted content at the content recipient in response to execution of the second program code, and fourth program code is executed at the content recipient so as to automatically display notice to the content recipient that the posted content has been received at the content recipient in response to execution of the second and third program code.

The Examiner asserts that, according to column 5, lines 2-45 of the Mano patent, notice is provided to the user that the web page has been received at the user. However, this portion of the Mano patent does not disclose that notice is automatically displayed to the user that a web page has been received.

Instead, this portion of the Mano patent merely discloses that the computer 14 on a daily interval connects to the user's internet service provider, automatically enters the address of an addressee, downloads the web page from the addressee, and stores the downloaded web page. After a web page is downloaded, the user can access this web page using an input device. However, the user cannot utilize any links to other internet addresses included within the web page, because the computer 14 is not actually connected to the internet.

As can be seen, there is no mention here of the notice as recited in independent claim 1.

Moreover, the Mano patent does not suggest automatically displaying the type of notice recited in independent claim 1. The Mano patent discloses at column 2, lines 30-34 that "[w]hat is further needed is a system which automatically obtains information from specific internet sites during a specified time period, while a user is not using the system." There is little point in automatically displaying notice to the user if the web page is downloaded while the user is not using the computer.

Accordingly, independent claim 1 is neither anticipated by nor obvious over the Mano patent.

Independent claim 18 is directed to a computer readable storage medium which stores program code that, when executed, automatically initiates a request for the download of a content element of a web page posted by a content provider and receives only the content element in response to the request.

As indicated in the above description of the Mano patent, the whole web page and not just an element of the web page is download. Indeed, even the links are downloaded. However, as disclosed in column 5, lines 42-52, the user will not be able to utilize these links to access other internet addresses included within the web page because the computer 14 is not actually connected to the internet.

Moreover, the Mano patent does not suggest downloading only an element of a web page. Instead, the Mano patent suggests that the whole web page must be downloaded. More specifically, the Mano patent discloses that the web page is stored for later viewing by the user. Because the computer 14 according to the disclosure of the Mano patent cannot know which elements of the web page will be of interest to the user, the Mano

patent must be suggesting the download of the whole web page so that the user, when later viewing the web page, can decide what is of interest and what is not.

Accordingly, independent claim 18 is neither anticipated by nor obvious over the Mano patent.

Independent claim 32 is directed to a method in which first program code is executed at a content provider so as to post content for access by a content recipient, in which second program code is executed at the content recipient so as to automatically (i) access the content provider and (ii) initiate receipt by the content recipient of the posted content if the posted content is new, and in which third program code is executed at the content provider so as to send a message notifying the content recipient that the posted content is not new.

The Mano patent neither discloses nor suggests sending a message to the computer 14 that the web page is not new.

Accordingly, independent claim 32 is neither anticipated by nor obvious over the Mano patent.

Because independent claims 1, 18, and 32 are patentable over the Mano patent, dependent claims 2-8, 10-13, 19-22, 30, 31, 33, 34, 37 are likewise patentable

over the Mano patent. These dependent claims are also patentable over the Mano patent for additional reasons.

For example, dependent claims 12, 20, and 36 recite that the posted content, when received by the content recipient, is displayed behind a session if the session is active.

The Examiner never really deals with these claims. As disclosed in the Mano patent, the web page is downloaded and is stored in the memory. The Mano patent does not disclose that the web page, when received, is displayed behind a session if the session is active. Indeed, the Mano patent discloses that the web page, when received, is stored in either the mass storage device 32 or the main memory 30. Neither of these memories is a display memory (such as the video memory 44). Therefore, the web page is not displayed when received either behind an active session.

The Examiner might have had a better argument if the Mano patent had disclosed storing the web page, when received, in the video memory 44. However, the Mano patent does not contain such disclosure

Accordingly, dependent claims 12, 20, and 36 are neither anticipated by nor obvious over the Mano patent.

Dependent claims 13, 22, and 37 recite that the notice is displayed even if a session is active.

The Examiner points to column 4, lines 30-50 and to column 5, lines 10-45 of the Mano patent for this feature of the invention. Column 4, lines 30-50 of the Mano patent disclose that intervals at which web pages may be downloaded may be specified in the interval column 66, that the column 68 displays the date and time of the last version of the web page which was downloaded corresponding to this entry, that the column 70 displays whether or not the last downloaded web page corresponding to this entry was viewed by the user, and that the computer 14 accesses and downloads a web page and updates the information within the update column 68 and the viewed column 70.

Column 5, lines 10-45 of the Mano patent has been discussed above.

As can be seen, there is no mention in either of these portions of the Mano patent that a notice is displayed even if a session is active. The Examiner seems to be suggesting that the user interface 60 of the Mano patent is a notice. Even if this suggestion were true, the Mano patent does not disclose displaying the user interface 60 even if a session is active. Indeed,

the Mano patent merely suggests that the user interface 60 becomes the active session, which means that the former active session is no longer active.

Accordingly, dependent claims 13, 22, and 37 are neither anticipated by nor obvious over the Mano patent.

Dependent claim 30 recites that the stored program code is electronically received from a remote site and is stored by the computer readable storage medium. The Mano patent does not disclose or suggest this feature of the invention.

Accordingly, dependent claim 30 is neither anticipated by nor obvious over the Mano patent.

The Chang patent, the Beyda patent, the Pike patent, and the Kullick patent do disclose the limitations of independent claims 1, 18, and 32 that are missing from the Mano patent. Therefore, the combination of any one or more of these patents with the Mano patent cannot disclose or suggest the inventions of these independent claims.

Accordingly, independent claims 1, 18, and 32 are patentable over the Mano patent in view of the Chang patent and/or in view of the Beyda patent and/or in view of the Pike patent and/or in view of the Kullick patent.

Because independent claims 1, 18, and 32 are patentable over the Mano patent in view of the Chang patent and/or in view of the Beyda patent and/or in view of the Pike patent and/or in view of the Kullick patent, dependent claims 2-17, 19-31, and 33-44 are likewise patentable over the Mano patent in view of the Chang patent and/or in view of the Beyda patent and/or in view of the Pike patent and/or in view of the Kullick patent.

Newly added independent claim 45 is directed to a method performed at a content recipient in which first program code is executed at the content recipient so as to identify a content provider having posted content of interest to the content recipient, in which second program code is executed at the content recipient so as to automatically initiate a request for the posted content, and, in which third program code is executed at the content recipient so as to receive a notice that the content provider has no new content to download to the content recipient.

None of the art applied by the Examiner shows independent claim 45.

Accordingly, independent claim 45 is patentable over the Mano patent, the Chang patent, the Beyda patent, the Pike patent, and/or the Kullick patent.

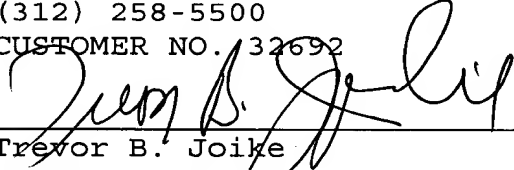
CONCLUSION

In view of the above, it is clear that the claims of the present application patentably distinguish over the art applied by the Examiner. Accordingly, allowance of these claims and issuance of the above captioned patent application are respectfully requested.

Respectfully submitted,

SCHIFF HARDIN LLP
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
(312) 258-5500
CUSTOMER NO. 32692

By: _____


Trevor B. Joike
Registration No.: 25,542
Attorney for Applicants

September 6, 2005